

AMENDED IN ASSEMBLY AUGUST 25, 2005

AMENDED IN SENATE MAY 3, 2005

SENATE BILL

No. 675

Introduced by Senator Cedillo

February 22, 2005

An act to add Section 14607.9 to the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 675, as amended, Cedillo. Vehicle forfeiture: safe transportation.

~~(1) Existing~~

Existing law authorizes a peace officer to either immediately arrest a person and cause the removal and seizure of the vehicle he or she was operating or, if the vehicle is involved in a traffic collision, cause the removal and seizure of the vehicle, without the necessity of arresting the person, if the peace officer determines that the person was driving the vehicle while his or her driving privilege was suspended or revoked or without having been issued a license. Existing law subjects a vehicle to forfeiture as a nuisance if it is driven on a highway by a driver with a suspended or revoked license, or by an unlicensed driver, as specified. Existing law requires a vehicle to be impounded if its driver is unable to produce a valid driver's license, except as specified.

This bill would ~~require~~ *declare the intent of the Legislature that the any peace officer that who* causes the vehicle to be seized and impounded pursuant to those provisions *shall* provide safe transportation for the ~~driver and passengers, as specified persons in the vehicle who are not arrested,~~ to an operating point of public transportation, as defined, the place of residence of the driver, or a

safe place that has access to the use of a telephone, whichever is closer to the point of seizure, *unless the person waives that transportation*. Because this bill would expand the duties and scope of an existing law enforcement impoundment and forfeiture program, this bill would impose a state-mandated local program.

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~. State-mandated local program: ~~yes-no~~.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14607.9 is added to the Vehicle Code,
 2 to read:
 3 14607.9. ~~A peace officer that~~ *It is the intent of the Legislature*
 4 *that any peace officer who* seizes a vehicle pursuant to this
 5 Section 14602.6 or 14607.6 shall provide or cause to be provided
 6 safe transportation for all persons traveling in the vehicle who are
 7 not arrested, to an operating point of public transportation, the
 8 place of residence of the driver, or a safe place that has access to
 9 the use of a telephone, whichever is closer to the point of seizure,
 10 *unless the person waives that transportation.* ~~His or her right to~~
 11 ~~transportation pursuant to this section may be waived.~~ An
 12 “operating point of public transportation” means a bus station,
 13 subway station, or train station on a route operating within one
 14 hour of the time a peace officer leaves a person at the station.
 15 SEC. 2. ~~If the Commission on State Mandates determines that~~
 16 ~~this act contains costs mandated by the state, reimbursement to~~
 17 ~~local agencies and school districts for those costs shall be made~~
 18 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
 19 ~~4 of Title 2 of the Government Code.~~